

DIST/OFFICE	DOCKET YR.	NUMBER	FILING DATE MO. DAY YEAR	J	N/S	O	R	23	S	DEMAND OTHER	JUDGE NUMBER	JURY DEM.	DOCKET YR.	NUMBER
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PLAINTIFFS

ANTHONY L. WHITEWATER

DEFENDANTS

UNITED STATES OF AMERICA

CAUSE

MOTION PURSUANT TO 28 U.S.C. 2255.

ATTORNEYS

Lloyd Payton
Severs Hotel Lobby
Muskogee, Oklahoma 74401

Ben Baker, Asst. U. S. Atty.

<input type="checkbox"/> CHECK HERE IF CASE WAS FILED IN FORMA PAUPERIS	FILING FEES PAID			STATISTICAL CARDS	
	DATE	RECEIPT NUMBER	C.D. NUMBER	CARD	DATE MAILED
	1-6-75	93709	\$15.00	31	\$15.00
				JS-5	2-1-75
				JS-6	3-1-75

DATE	NR.	PROCEEDINGS
1-6-75	1.	Motion pursuant to 28 U.S.C. 2255, filed. rm <i>copy to Deft. ally</i>
1-6-75		MO: Ordered by the Court that this case is transferred to the sentencing judge, Allen E. Barrow, per local rules. (FD-J)rm <i>file to Deft</i>
1-7-75	2.	Order, filed, granting writ of habeas corpus ad testificandum. Ordered that Deft. Whitewater be delivered to USM, Tulsa, OK, to be delivered to U.S. Dist. Court, N.D. of OK, and to hold Deft. until further order of Court. ORDERED that <u>Evidentiary Hearing</u> be set for <u>10:00 A.M. on Tuesday, 1-14-75</u> . (AEB-J)v -copies mld. <i>note mld</i>
1-8-75		Writ of H/C ad testificandum issued.k
1-14-75		Case called for Evidentiary hearing on motion pursuant to 28 USC, 2255. Parties present. Statements made. Motion granted. Further statements made. Motion declared moot by the Court & dismissed. (See Criminal Case #74-CR-79 for further minute) Order to be prepared. (AEB-J)b
1-20-75		W/HCAT, ret. & filed: Anthony L. Whitewater brought from Fed. Reformatory, El Reno. to Tulsa County Jail on 1-13-75. g
2-12-75	3	Order, filed & entered, dismissing this cause, that when deft. was sentenced on 7-2-74, to 10 yrs. in custody of the Atty. Gen., the Court failed to impose the Special Parole term required by 21 USC §841. On 1-14-75 the Court vacated the deft's plea of guilty, he was re-arraigned, waived trial by jury, & entered a plea of guilty to Count I of the Indictment & was re-sentenced by the Court. Counts II and III were dismissed on Motion of the Government. Petitioner's prayer contained in his Motion in this cause therefore became moot. (AEB-J)k